

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00056-MR-DLH**

**RICHARD ERIC TAYLOR, Individually)
and as Personal Representative of)
the Estate of DIANNE GRUBB)
TAYLOR, Deceased,)**

Plaintiff,)

vs.)

ORDER

ALCATEL-LUCENT USA, INC.,)

Defendant.)

THIS MATTER is before the Court on the Plaintiff's Motion to Approve Allocation of Settlement Funds [Doc. 22].

The Plaintiff moves the Court to enter an Order approving the allocation of settlement funds in this matter. [Doc. 22]. The Plaintiff's motion is not accompanied by a brief as required by the Local Rules. See LCvR 7.1(C). On that basis alone, the Plaintiff's motion should be denied.

Reaching the merits of the Plaintiff's motion, however, the Court must deny the motion. The Plaintiff cites no legal authority which allows for the requested relief. North Carolina law generally does not require the approval of settlements where the recipients are competent adults.

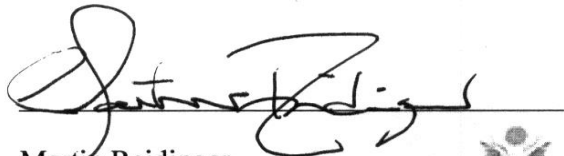
Moreover, the allocation of amounts recovered in a wrongful death action is dictated by statute. See N.C. Gen. Stat. § 28A-18-2.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion to Approve Allocation of Settlement Funds [Doc. 22] is **DENIED**.

IT IS FURTHER ORDERED that the parties shall file a stipulation of dismissal of this action within fourteen (14) days. If no such stipulation is filed, the Court will dismiss this action on its own motion.

IT IS SO ORDERED.

Signed: March 20, 2015


Martin Reidinger
United States District Judge

